

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 07 –60 GMS
	:	
DAVID HANCOCK and	:	
MIGUEL ALCANTARA,	:	
	:	
Defendants.	:	

**MOTION FOR  
EXCLUSION OF TIME UNDER SPEEDY TRIAL ACT**

**NOW COMES** the United States through counsel, and respectfully state as follows:

1. On September 28, 2007, the Court held a scheduling conference in this matter.
2. At the scheduling conference, counsel for defendant Alcantara indicated that defendant Alcantara might plead guilty. The Court set a tentative change of plea date for October 30, 2007.
3. At the scheduling conference, counsel for defendant Hancock indicated that defendant Hancock would likely go to trial. Counsel for defendant Hancock advised the Court that he would not be able to try the case before January 1, 2008. The Court set a trial date for January 14, 2008.
4. The government requests that, in the interest of justice, 18 U.S.C. §3161(h)(8)(A), the Court extend the Speedy Trial Act deadline until the date of the trial, and find that the ends of justice (i.e., the prospect that some of the pending charges will be resolved without the necessity for a trial, and because counsel for defendant Hancock will not be able to try the case before

January, 2008) served by such an exclusion would outweigh the best interest of the public and the defendants in a speedy trial.

**WHEREFORE**, the government requests an exclusion of time under the Speedy Trial Act for the reasons stated.

COLM F. CONNOLLY  
United States Attorney

By: /s/ Douglas E. McCann  
Douglas E. McCann  
Assistant United States Attorney

Dated: September 28, 2007

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FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
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Plaintiff,	:	
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v.	:	Criminal Action No. 07 –60 GMS
	:	
DAVID HANCOCK and	:	
MIGUEL ALCANTARA,	:	
	:	
Defendants.	:	

**ORDER**

WHEREAS, on September 28, 2007, the Court held a scheduling conference in this matter;

WHEREAS, at the scheduling conference, counsel for defendant Alcantara indicated that defendant Alcantara might plead guilty. The Court set a tentative change of plea date for October 30, 2007;

WHEREAS, at the scheduling conference, counsel for defendant Hancock indicated that defendant Hancock would likely go to trial. Counsel for defendant Hancock advised the Court that he would not be able to try the case before January 1, 2008. The Court set a trial date for January 14, 2008;

NOW THEREFORE, IT IS HEREBY ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2007, that because the Court finds that the ends of justice (i.e., the prospect that some of the pending charges will be resolved without the necessity for a trial, and because counsel for defendant Hancock will not be able to try the case before January, 2008) are served by an exclusion of time under the Speedy Trial Act, and because the Court finds that such an exclusion for the reasons cited outweigh the best interest of the public and the defendants in a speedy trial,

the Court excludes the time from the date of this Order until January 14, 2008, in the interests of justice, 18 U.S.C. §3161(h)(8)(A).

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HONORABLE GREGORY M. SLEET  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I, Douglas E. McCann, hereby certify that on September 28, 2007, I caused the foregoing **MOTION FOR EXCLUSION OF TIME UNDER SPEEDY TRIAL ACT** to be served on the following counsel in the manner indicated:

**BY FIRST CLASS MAIL**

Michael F. Giampietro, Esquire  
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**BY CM/ECF**

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Attorney for Miguel Alcantara

/s/ Douglas E. McCann

Douglas E. McCann